

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

**SHELTER INSURANCE COMPANIES, :**

**PLAINTIFF, :**

**V. :**

**BILLY JOE GRISWELL D/B/A  
GRISWELL BUILDING AND SALE  
and GUIDEONE TAYLOR BALL  
CONSTRUCTION SERVICES, INC., :**

**DEFENDANTS. :**

**NO. 1-03-1034 T-An**

**02-1299 T/An**

**FILED BY**                      **D.C.**  
**05 JUL 19 PM 12:14**

**THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, JACKSON**

**THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, JACKSON**

**05 JUL 21 AM 8:13**

**FILED BY**                      **D.C.**

**MOTION TO ALTER OR AMEND  
PREVIOUSLY FILED MOTION**

Comes now Terry Abernathy, Attorney of record for Billy Joe Griswell, d/b/a Griswell Building and Sale, in the cause as styled and numbered above, and respectfully moves that the previously filed MOTION TO ALTER OR AMEND PLEADINGS AND RECORDS as filed in this cause on May 5, 2005, be altered and amended in the following particulars, to wit:

1.

That, by the inadvertence/mistake of the undersigned attorney, the "case number" assigned to the case styled Guideone Taylor Ball Construction Services, Inc., v. Ricky Hurt, et al, was incorrect, and that the correct case number to be assigned to Guideone Taylor Ball Constructions Services, Inc., v. Ricky Hurt, et al., is Case No.02-1299-T-An

2.

**MOTION GRANTED**

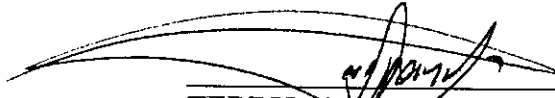
**DATE:** 20 July 2005

James D. Todd  
James D. Todd  
U.S. District Judge

The undersigned, James D. Todd would certify that he has not consulted with the other involved

This document entered on the docket sheet in compliance with Rule 58 and/or 79 (a) FRCP on 7/21/05

attorneys, but has no reason to believe that anyone involved in these matters of litigation would have any reason to object or to otherwise oppose this ministerial/administrative relief sought, and the undersigned attorney would further apologize to the Court for this oversight and mistake.



TERRY ABERNATHY #008542  
Attorney for Defendant, Billy Joe Griswell, d/b/a  
Griswell Building and Sale  
P.O. Box 441  
Selmer, TN 38375  
731-645-6163

**CERTIFICATE OF SERVICE**

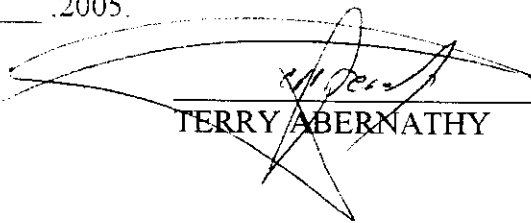
I hereby certify that a true and exact copy of the foregoing MOTION TO ALTER OR AMEND PREVIOUSLY FILED MOTION was this day served upon counsel for each of the parties by mailing same to:

Mr. William M. Jeter  
Attorney at Law  
35 Union Ave, Suite 300  
Memphis, Tennessee 38103

Mr. Stephen Craig Kennedy  
Attorney at Law  
P.O. Box 647  
Selmer, Tennessee 38375

Mr. John S. Little  
Attorney at Law  
P.O. Box 726  
Jackson, Tennessee 38302

This the 18<sup>th</sup> day of July, 2005.



TERRY ABERNATHY



## Notice of Distribution

This notice confirms a copy of the document docketed as number 40 in case 1:02-CV-01299 was distributed by fax, mail, or direct printing on July 21, 2005 to the parties listed.

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Terry Abernathy  
ABERNATHY LAW FIRM  
P.O. Box 441  
Selmer, TN 38375

William M. Jeter  
LAW OFFICE OF WILLIAM JETER  
35 Union Ave.  
Ste. 300  
Memphis, TN 38103

Stephen C. Kennedy  
DEUSNER & KENNEDY  
117 W. Court Avenue  
Selmer, TN 38375--064

Honorable James Todd  
US DISTRICT COURT